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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/002,745	11/02/2001	Toshio Ueno	01703/LH	3835

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EXAMINER

CHEA, PHILIP J

ART UNIT	PAPER NUMBER
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2153

DATE MAILED: 12/15/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/002,745

Applicant(s)

UENO, TOSHIO

Examiner

Philip J. Chea

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 28 October 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 22 March 2002 and 14 April 2005 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

This Office Action is in response to an After Final Amendment filed October 28, 2005. The Finality of the Office Action mailed August 3, 2005 has been withdrawn. The amendment filed October 28, 2005 will **not** be entered. A new Final has been prepared below to address the **previous** amendment filed **April 14, 2005**. Claims 1-20 are currently pending, of which claims 7-20 are new

Claim Rejections - 35 USC § 112

1. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

2. Claims 1-20 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

The term "substantially" in claims 1,3,5 is a relative term which renders the claim indefinite. The term "substantially" is not defined by the claim, the specification does not provide a standard for ascertaining the requisite degree, and one of ordinary skill in the art would not be reasonably apprised of the scope of the invention. It is unclear how similar to natural language the claim must be.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. Claims 1,3,5 rejected under 35 U.S.C. 102(e) as being anticipated by Stier et al. (US 6,591,258), herein referred to as Stier.

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As per claims 1,3,5, Stier discloses a technical support system, as claimed, comprising:

a service information portal section which provides web pages as information input and output interfaces (see column 6, lines 20-22, column 10, lines 62-65, column 12, lines 61-64, Figs. 1a, 1c and 6-12);

a knowledge base section which stores various claim reports and solutions related to the claim reports (see column 11, lines 15-21 and 40-63, column 23, lines 47-52, where engineers use the knowledge base to file and access claim reports and their solutions); and

a claim handling section which registers a new claim report in said knowledge base section, and manages the registered new claim report as an unsolved claim requiring an answer from an engineer (column 11, lines 29-39, if the claim is unique, or indicated as not being in the knowledge base, then it is registered as a new claim requiring resolution);

wherein said claim handling section is configured to issue respective task sheets for a market countermeasure task which is shared among technical divisions to the respective technical divisions in accordance with the new claim report, and to update a state of progress of the market countermeasure task upon receipt of each respective task sheet returned from each of the technical divisions (see column 11, lines 29-39, column 41, lines 47-58, column 49, lines 31-47, and column 50, lines 44-67, where knowledge analysts are assigned tasks to add new content/solutions to the knowledge base when agents activate the Knowledge Notes field); and

wherein claim content of the new claim report is input via a client web page in a format similar to natural language, and the new claim report is registered in the knowledge base section in a format including at least a claim title structured as a combination of predetermined items of definition information expressed in standard terms, based on the claim content in the format similar to natural language (see column 14, lines 27-37, column 15, lines 36-47, where knowledge object/record editor user interfaces are used to add new claims to knowledge base).

As per claims 2,4,6, Stier further discloses that the claim handling section is configured to display the state of progress of the market countermeasure task (see Fig. 7).

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As per claim 8, Stier further discloses that the state of progress is a selected one of a plurality of consecutive steps (see column 16, lines 47-53).

As per claim 9, Stier further discloses that the selected step is updated based on a combination of tasks completed in the technical divisions (see Fig. 13).

As per claim 10, Stier discloses that the consecutive steps comprise a first step of confirming and verifying the claim content of the new claim report (see column 8, lines 21-61), a second step of performing cause investigation and solution estimation (see column 8, lines 30-45), a third step of performing a trial production and effectiveness test of a countermeasure part (see column 57, lines 2-25), a fourth step of preparing the countermeasure part for market application (see column 57, lines 43-52), and a fifth step of monitoring effectiveness of the countermeasure part in the market (see column 49, lines 23-47).

As per claim 15, Stier in view of Kappel further show that it would have been obvious that a plurality of task sheets are issued to technical divisions (see column 11, lines 29-39, column 41, lines 47-58, column 49, lines 31-47, and column 50, lines 44-67, where knowledge analysts are assigned tasks to add new content/solutions to the knowledge base when agents activate the Knowledge Notes field).

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 7,11-12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Stier et al. (US 6,591,258), herein referred to as Stier, as applied above.

As per claims 7,11, although the system disclosed by Stier shows substantial features of the claimed invention (discussed above), it does not expressly disclose that the technical divisions comprise a design division, a production division, and a quality certification division.

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Nonetheless, these features are well known in the art and would have been an obvious modification of the system disclosed by Stier.

Stier recognizes that systems such as computers involve many products from many vendors and that they may not operate as expected when configured into a system. At the time of the invention, it would have been obvious to a person of ordinary skill in the art for the system of Stier to have different divisions responsible for particular steps in a business method. For a business, that produces products, to successfully operate and maintain order it is well known to include a design division to brainstorm compatible components, a production division to prepare and assemble the product, and a quality certification division to inspect the product for obvious flaws and be responsible for maintenance of the product.

As per claim 12, Stier discloses that the consecutive steps comprise a first step of confirming and verifying the claim content of the new claim report (see column 8, lines 21-61), a second step of performing cause investigation and solution estimation (see column 8, lines 30-45), a third step of performing a trial production and effectiveness test of a countermeasure part (see column 57, lines 2-25), a fourth step of preparing the countermeasure part for market application (see column 57, lines 43-52), and a fifth step of monitoring effectiveness of the countermeasure part in the market (see column 49, lines 23-47).

7. Claims 13-14, 16-19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Stier as applied to claims 8 and 12 above, and further in view of Kappel et al. ("Coordination in Workflow Management Systems – A Rule-Based Approach"), herein referred to as Kappel.

As per claim 13, although the system disclosed by Stier shows substantial features of the claimed invention (discussed above), it fails to disclose that the state of progress is updated to the fourth step when a task of the design division is completed.

Nonetheless, these features are well known in the art and would have been an obvious modification of the system disclosed by Stier, as evidenced by Kappel.

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In an analogous art, Kappel discloses a workflow management system to coordinate policies in a business environment (see Abstract). Further showing that it would have been obvious to update the state of progress to prepare a product for market application after the design of the product has completed (see page 9, section 3.3 *Worklist Management Policies*). Kappel shows that certain activities must be started immediately after a prerequisite step has occurred.

Given the teaching of Kappel, a person having ordinary skill in the art would have readily recognized the desirability and advantages of modifying Stier by employing a workflow management system, such as disclosed by Kappel, in order to successfully implement a product lifecycle in a organized and timely manner.

As per claim 14, Stier in view of Kappel further show that it would have been obvious to select the first step once the design division has received the claim report. As described above, Kappel recognizes the priorities of tasks and that controlling the occurrences of activities is necessary to adapt to changing business plans. At the time of the invention it would have been obvious to a person skilled in the art to wait until a claim was filed so design engineers could know the current problems and improve their product to satisfy consumers.

As per claim 16, Stier in view of Kappel further show that it would have been obvious that a plurality of task sheets are issued to design divisions. Kappel shows that activities can be issued to different agents (see Figure 2). At the time of the invention it would have been obvious to a person skilled in the art to issue separate tasks to different divisions and personnel, such as a design division, in order to discuss details about the aesthetic appearance of the final product.

As per claim 17, Stier in view of Kappel further show that it would have been obvious that a task sheet is issued to a quality certification division when a design division returns a task sheet issued thereto indicating completion of a task of the design division. Kappel shows that activities can be issued to different agents (see Figure 2). At the time of the invention it would have been obvious to a person skilled in the art for a design division to hand off a task to a quality certification division after the design division has indicated the completion of a task in order to inspect the quality of the work performed by the design division.

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As per claim 18, Stier in view of Kappel further show that it would have been obvious that a task sheet issued to a design division and a task sheet issued to a production division are issued simultaneously. Kappel shows that activities can be started simultaneously given that results from one activity are not needed to start the other activity (see Figure 2). At the time of the invention it would have been obvious to a person skilled in the art to simultaneously assign tasks to a design division and a production division in order to take advantage of concurrency.

As per claim 19, Stier in view of Kappel further show that it would have been obvious to select the fifth step when tasks of the design division, the production division, and the quality certification division are complete. Stier shows that it is desirable that an entire business process must be completed before a certain date. At the time of the invention it would have been obvious to a person skilled in the art to wait until a final product has been completed before putting the product out in the market.

8. Claim 20 is rejected under 35 U.S.C. 103(a) as being unpatentable over Stier as applied to claim 7 above, and further in view of Official Notice.

Although the system disclosed by Stier shows substantial features of the claimed invention (discussed above), it fails to disclose that details of a countermeasure are delivered as a report of invention to a patent division upon completion of the countermeasure task shared among the technical divisions.

Nonetheless, these features are well known in the art and would have been an obvious modification of the system disclosed by Stier, as evidenced by Official Notice.

It is old and well known that products are patented to protect the time and money invested into creating that product. At the time of the invention it would have been obvious to a person skilled in the art to document the functional details and steps in designing the product and have a patent division prepare the necessary documents to file for a patent.

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Response to Arguments

9. Applicant's arguments with respect to claim 1-20 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

10. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Philip J. Chea whose telephone number is 571-272-3951. The examiner can normally be reached on M-F 7:00-4:30 (1st Friday Off).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Glenn Burgess can be reached on 571-272-3949. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

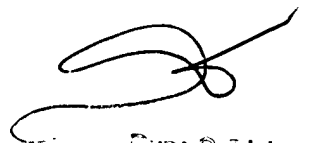
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Philip J Chea
Examiner
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PJC 12/8/05



Dung B. Tran
Primary Examiner